

Minutes
Catawba County Board of Commissioners
Regular Session, Monday, December 3, 2007, 9:30 a.m.

Appointments

Catawba Valley Medical Center Board of Trustees	776	12/03/07
Town of Catawba Planning Board		

Board of Commissioners

Organizational Meeting	776	12/03/07
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Catawba County Schools

Advance Funds for A/C in Fred T. Foard HS	779	12/03/07
Update on design for Snow Creek Elementary	780	12/03/07

Closed Session

Consult with an attorney and negotiating for real property	781	12/03/07
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Economic Development Corporation

Economic Grant – ADEVCO	780	12/03/07
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Emergency Services

Grant funds	776	12/03/07
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LifeSkills

Settlement on Building Costs	781	12/03/07
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Mental Health

Budget revision	777	12/03/07
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Utilities and Engineering

Bid for Construction Quality Assurance	776	12/03/07
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The Catawba County Board of Commissioners met in regular session on Monday, December 3, 2007 at 9:30 a.m. in the 1924 Courthouse, Robert E. Hibbitts Meeting Room, 30 North College Avenue, Newton, North Carolina.

Present were Chair Katherine W. Barnes, Vice-Chair Barbara G. Beatty and Commissioner Dan Hunsucker.

Commissioners Lynn M. Lail and Glenn E. Barger were absent.

Also present were County Manager J. Thomas Lundy, Assistant County Manager Lee Worsley, County Attorney Debra Bechtel, Deputy County Attorney Anne Marie Pease and County Clerk Barbara Morris.

1. Chair Katherine W. Barnes called the meeting to order at 9:30 a.m.
2. Chair Barnes led the Pledge of Allegiance to the Flag.
3. Commissioner Hunsucker offered the invocation.

Chair Barnes then noted that Commissioners Lynn M. Lail and Glenn E. Barger were unable to attend the meeting because they were out of town.

4. Vice-Chair Beatty made a motion to approve the minutes of the Regular Meeting and closed session of Monday, November 19, 2007. The motion carried unanimously.

5. Chair Barnes then announced it was the organizational meeting of the Board of Commissioners and she asked County Manager J. Thomas Lundy to conduct the election of the chair and vice-chair. Mr. Lundy opened the floor for nominations for Chair of the Board of Commissioners. Commissioner Hunsucker made a motion to appoint Katherine W. Barnes as Chair. The motion carried unanimously. Chair Barnes then asked for nominations for Vice-Chair and Commissioner Hunsucker made a motion to appoint Lynn M. Lail as Vice-Chair. The motion carried unanimously. Chair Barnes then made a motion to make the following organizational appointments for the upcoming year:
 - a. County Attorney – Debra Bechtel
 - b. Finance and Personnel Subcommittee – Commissioners Beatty and Barger
 - c. Policy and Public Works Subcommittee – Commissioners Lail and Hunsucker
 - d. WPCOG Policy Board Delegate – Chair Barnes
 - e. WPCOG Policy Board Alternate – Vice-Chair Lail
 - f. Hospital Board of Trustees – Commissioner Beatty
 - g. Mental Health Services Board – Chair Barnes
 - h. Public Health Board – Commissioner Hunsucker
 - i. Social Services Board and Community Service Block Grant Advisory Board – Commissioner Barger
 - j. Catawba County Criminal Partnership Advisory Board – Vice-Chair Lail
 - k. Catawba County Partnership for Children Board – Vice-Chair Lail
 - l. Child Advocacy Center Board – Commissioner Hunsucker
 - m. Juvenile Crime Prevention Council – Chair Barnes with Budget Director Judy Ikerd as alternate.The motion to make these appointments carried unanimously.
6. Recognition of Special Guests.

In addition to welcoming all present, Chair Barnes welcomed those from the Catawba County School system, Newton-Conover Superintendent Barry Redmonds and Louis Woods.
7. Public Comments for items not on the agenda.

Mr. Glenn Fulbright came forward and requested that the Board consider the appointment of Mr. Rodney Beal to the Catawba County Planning Board, to represent the area of the county in the Tuttle and Maiden Elementary School Districts
8. Appointments.

Commissioner Beatty recommended the reappointment of Mr. Robert Hibbitts for a second term on the Catawba Valley Medical Center Board of Trustees and the appointment of Mr. Gary Laws for a first term on this board, to replace Mr. Jerald Leonhard who was not eligible for reappointment, and Mr. Jim Wright for a first term to replace Mr. Clement Geitner who was also not eligible for reappointment to this board. Commissioner Beatty also recommended the reappointment of Ms. Kathy Ervin for a third term on the Town of Catawba Planning Board. These recommendations came in the form of a motion. The motion carried unanimously.
9. Consent Agenda:

County Manager J. Thomas Lundy presented the following three items on the consent agenda:

 - a. A request for the Board to award a bid for Construction Quality Assurance (CQA), during construction of the Blackburn Subtitle D Landfill, Unit 3, Phase 1, to C.T. Clayton/Draper Aden of Coats, North Carolina, in the amount of \$280,193. On November 19, 2007, the Board awarded a contract for construction of this lined section of the landfill, which is required under State law, to Shamrock Construction. In accordance with State solid waste regulations, Construction Quality Assurance must be performed. On September 13, 2007, Requests for Qualifications for this project were accepted. McGill Associates reviewed qualification packages and recommended the County select C.T. Clayton/Draper Aden to provide a proposal for this service. McGill Associates then reviewed the proposal and determined it is in compliance with the approved CQA Plan for the project. C.T. Clayton/Draper Aden has proposed to provide the required CQA services for a fee of \$280,193, equivalent to \$12,678.42 per acre of construction, slightly less than CQA services for the previous phase of construction at the Blackburn Landfill, which equaled \$13,082.50 per acre. Funding for the project is included in the County's 2007-08 solid waste management budget, so no

new appropriation is needed. All costs associated with this project are funded from the Solid Waste Enterprise Fund, derived from solid waste tipping fees containing no tax proceeds.

b. A request for the Board to approve a supplemental appropriation of Federal Emergency Management Program Grant funds in the amount of \$10,284, to be used for maintaining a comprehensive emergency management program on the state and local level. This is the only Federal Emergency Management Agency grant that allows for payment of salaries. Because the grant amount fluctuates based on yearly Congressional allocations, the County budgets \$20,000 annually since the County's allocation has never been below that amount. The grant totaled \$30,284 this year, so a supplemental appropriation of the additional \$10,284 is needed. The County's Emergency Services Department requested that these funds be allocated for part-time wages for staff work on special projects such as keying of emergency equipment to National Incident Management System standards; assisting with updating of plans; data entry; and assisting with locating and applying for grants to replace equipment, purchased through grant funds, that has been destroyed, is not repairable, or needs to be replaced for other reasons. Appropriations as follows:

Appropriation Increase

110-260060-812500 \$5142
Part-Time Wages

Revenue

110-260060-620400 \$10,284
Civil Defense

110-260060-870100 \$5142
Small Tools and Minor Equipment

c. A request for the Board to approve a Mental Health budget revision to increase the current Mental Health budget by \$1,841,799, bringing it to a total of \$23,472,711.42. This revision adds no new positions and requests no additional County funding. It reflects new State allocations resulting from actions taken by the North Carolina General Assembly. The revision includes an increase in various service dollars for both Burke and Catawba Counties, which are now working together under a one year interlocal agreement that created a partnership for the provision of mental health services, in anticipation of a merger of those services. The single largest change is in the availability of crisis funds, and Mental Health Trust Fund dollars. The revision addresses several major operational issues. The first will fully fund Mobile Crisis/Emergency Services for both counties. The second will fully support all contracted services. The third will help create an effective response system for people using means other than traditional inpatient hospitalization. This includes both alternatives to inpatient services and transportation to other crisis settings, while indigent care dollars are expanded or established in the three hospitals that have inpatient units. Support will also be given to key providers that assure the delivery of costly psychiatric services, and for sustaining services at Family NET. Supplemental appropriations as follows:

SUPPLEMENTAL APPROPRIATIONS			
Account Number		Account Number	
Expenditures:		Revenues:	
110-530904-812100 Regular Wages	\$47,552	110-530904-635100 Child Mental Health	\$47,552
110-530901-993030 LME Reserve	\$2.00	110-530906-622000 Adult Mental Health – Federal	\$23,389
110-530906-911250 MH Services-Adult	\$159,829	110-530906-622100 Child MH-Federal	\$3,911
110-530906-911255 MH Service –Child	\$326,233	110-530906-622200 Adult DD – Federal	(\$1,815)
110-530906-911350 MRMI Services	(\$259,547)	110-530906-622300 Child DD –Federal	\$1,814
110-530906-911420 DD Services	\$236,383	110-530906-622400 Adult SA -Federal	(\$1,993)
110-530906-911720 MH Emergency Services	\$196,269	110-530906-622500 Child SA Federal	\$4,152

110-530906-915522 Contract SA Svc – Adult	\$48,519	110-530906-633105 CTSP	\$247,318
110-530906-915524 Contract SA Svc- Child	\$8,999	110-530906-633209 MRMI	(\$259,547)
110-530906-915950 CTSP	\$247,318	110-530906-635000 Adult Mental Health	\$136,440
110-530907-911250 MH Services - Adult	\$152,775	110-530906-635100 Child Mental Health	\$322,322
110-530907-911255 MH Services- Child	(\$263,592)	110-530906-635200 Adult DD	\$78,637
110-530907-911350 MRMI Services	\$435,331	110-530906-635300 Child DD	\$41,111
110-530907-911420 DD Services	\$224,679	110-530906-635400 Adult SA	(\$41,490)
110-530907-911720 MH Emergency Services	(\$16,939)	110-530906-635020 Criminal Justice Offenders	\$92,000
110-530907-915522 Contract SA Svc-Adult	(\$84,903)	110-530906-635405 Crisis/ Emer. Svc	\$282,621
110-530907-915524 Contract SA Svc – Child	(\$9,035)	110-530906-635415 Mobile Crisis Services	(\$130,000)
110-530907-915950 CTSP Contracts	(\$52,918)	110-530906-635500 Child Substance Abuse	\$4,847
110-530901-831090 Other Misc. Operating	\$444,844	110-530906-635640 Work First Grant	\$2.00
		110-530907-622000 Adult MH – Federal	\$24,033
		110-530907-622100 Child MH – Federal	\$8,283
		110-530907-622200 Adult DD- Federal	\$9,561
		110-530907-622300 Child DD- Federal	\$551
		110-530907-622400 Adult SA – Federal	\$8,944
		110-530907-622500 Child SA Federal	(\$1,555)
		110-530907-625112 Alternative Treatment	\$4,130
		110-530907-633105 CTSP	(\$52,918)
		110-530907-633209 MRMI	\$435,331
		110-530907-635000 Adult Mental Health	\$128,742
		110-530907-635100 Child Mental Health	(\$271,875)
		110-530907-635200 Adult DD	\$229,873
		110-530907-635300 Child DD	(\$3,466)
		110-530907-635320 Child DD Dev Therapy	(\$1,559)

[illegible]

Chair Barnes asked if any Commissioner wished to have any item broken out of the consent agenda. None were requested. Commissioner Hunsucker made a motion to approve the consent agenda. The motion carried unanimously.

10. Departmental Reports.

a. Catawba County Schools:

1. Judy Ikerd, Budget Director, came forward and presented a request from the Catawba County Schools to advance funds for an air conditioning system for the gymnasium at Fred T. Foard High School, part of a renovation project scheduled for fiscal year 2008-09. Over the past few years, funds have been included for air conditioning of gyms when other renovation and construction projects have been completed at high schools. The gymnasiums at St. Stephens, Maiden and Bunker Hill High Schools are now air conditioned, and air conditioning at the Bandys High gym will be completed next summer. The Newton-Conover City and Hickory Public Schools have funding for, or are in the process of adding, air conditioning to the gyms at their high schools. Thus, Fred T. Foard will be the last high school gym in the county to be air conditioned. An eight-year school construction plan includes \$3.6 million for renovations and additions at Fred T. Foard High School, including \$206,700 to air condition the gym. The Catawba County Schools requested that funds for this portion of the project be advanced so air conditioning of the gym can be completed by the start of the 2009 school year. This appropriation will reduce the amount of money that will be borrowed for the project in FY 2008-09 from \$3.6 million to

\$3,393,300. Superintendent Barry Redmond updated the Board on the air conditioning at Newton-Conover High School and indicated that by January 2009 would be the target date for the completion of that installation. Commissioner Beatty made a motion to approve this request. The motion carried unanimously.

Supplemental Appropriation:

Increase	420-750100-690100	Fund Balance Applied	\$206,700
Increase	420-750100-863200-3111-3-03	Fred T. Foard a/c Gym	\$206,700

2. Dr. Markley, Catawba County Schools Superintendent, Rick Sain and Tony Cook came forward and updated the Board on design plans for a planned Snow Creek Elementary School. He discussed efforts to ensure the school's construction addresses energy conservation and "green" issues, which are expected to result in the school's being 40-45% more energy efficient than the recently completed St. Stephens Elementary School, and discussed the school system's hopes that Snow Creek Elementary School will be the first "green certified" school in the State. It is believed that the initial investment (approximately \$600,000) in the innovations to make this school "green certified" (silver certification) will pay off in a relatively short period of time (2/3 of the life of the building) with energy and water cost savings and will continue to pay off for years and years to come.

11. Other Items of Business.

Mr. Scott Millar and Ms. Julie Pruett of the Catawba County Economic Development Corporation presented the Board with a request to approve an economic grant in the amount of \$170,500 to cause ADEVCO/Hickory Call Center Partners, LLC. to construct a speculative customer service center building in McDonald Crossing Business Park, at the intersection of Tate Boulevard and McDonald Parkway in Hickory. ADEVCO/Hickory Call Center Partners, LLC. is expected to make an initial investment of \$5 million which, upon further improvements, is expected to exceed \$8 million. ADEVCO was presented with several sites across the Charlotte Region and, as a result of Catawba County's workforce and current labor market, Catawba County was chosen as the site to construct the customer service center. ADEVCO/Hickory Call Center Partners, LLC. plans to invest \$5 million initially to construct a 60,000 square foot speculative customer service center and up to \$10 million at the completion of construction. Such a customer service center would likely employ 400 to 600 employees and likely cause an additional up-fit and equipment investment of \$2 million to \$4 million. The proposed structured incentive agreement guarantees full repayment of the \$170,500 in incentives if performance criteria are not met (if performance criteria are met, tax receipts would repay the \$170,500 in less than 4 years). The Catawba County Committee of 100, a division of the Catawba County Economic Development Corporation, has also agreed to reimburse the County any outstanding amount, up to \$20,500, not reimbursed under the agreement by ADEVCO. The City of Hickory will consider a matching incentive payment of \$170,500 to ADEVCO for this project on December 4, 2007, structured in the same manner as the incentives approved by the Board of Commissioners at this meeting. Chair Barnes pointed out the jobs at issue do not require a great deal of training so there would be some immediacy to the creation of these jobs. Chair Barnes asked the County Attorney if there were any other issues to be addressed and she responded that she did not see any. Commissioner Hunsucker made a motion to approve this economic grant and authorize the Chair to execute the agreement. The motion carried unanimously.

12. Attorneys' Report.

a. County Attorney Debra Bechtel requested the Board approve a Settlement Agreement and Release between Catawba County and Fidelity and Deposit Company of Maryland, and the appropriation of \$359,710.67, to be paid to Fidelity and Deposit as final payment for construction of Mental Health Services' Life Skills building. In September 2004, CBM, which was initially awarded a bid as contractor on the project, abandoned the job. CBM's bonding and insurance company, Fidelity and Deposit, hired Yates Construction to complete the project, and it was completed in April 2005. Fidelity and Deposit has paid Yates Construction, but the County had not paid monies due to Fidelity, pending an agreement on the actual amount due. The County believed more credits were due as a result of delays and additional funds spent for subcontractors and materials, due to CBM's abandoning the job. The County was successful in getting Fidelity and Deposit, through its counsel, to agree to a final payment of \$359,710.67. The County had \$487,139.12 in reserve for this project, resulting in a savings of \$127,428.45. Commissioner Beatty made a motion to approve the settlement agreement and release and authorize the Chair to execute these documents.

b. County Attorney Debra Bechtel requested the Board consider a motion to move into closed session pursuant to General Statute 143-318.11(a)(3) and (a)(5) to consult with an attorney to preserve the attorney-client privilege between the attorney and the public body and to establish or to instruct the public body's staff concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange or lease. She did not anticipate any public action. Commissioner Hunsucker made a motion to move into closed session at 10:15 a.m. The motion carried unanimously.

13. Manager's Report. None.

14. The Board moved into open session at 10:45 a.m. after no action taken in closed session and Chair Barnes adjourned the meeting.

Katherine W. Barnes, Chair
Board of Commissioners

Barbara E. Morris, County Clerk